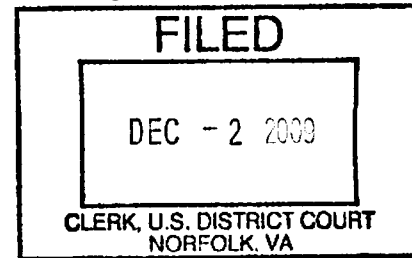


**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**



ABDUL MUZIKIR #02584-135,

Petitioner,

v.

CIVIL ACTION NO. 2:09cv208

PATRICIA R. STANSBERRY, et al.

Respondents.

FINAL ORDER


This matter was initiated by petition for a writ of habeas corpus under 28 U.S.C. § 2241. In the petition, Petitioner alleges that the Federal Bureau of Prisons ("BOP") should release him on parole for serving over thirty (30) years of his seventy-seven (77) years to life sentence.

The matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C), Rule 72 of the Federal Rules of Civil Procedure, and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for report and recommendation. The report of the Magistrate Judge was filed on November 6, 2009, recommending dismissal of the petition. By copy of the report, each party was advised of his right to file written objections to the findings and recommendations made by the Magistrate Judge. The Court has received no objections to the Magistrate Judge's Report and Recommendation and the time for filing same has expired.

The Court does hereby ADOPT AND APPROVE the findings and recommendations set forth in the report of the United States Magistrate Judge filed on November 6, 2009, and it is, therefore, ORDERED that the petition be DENIED AND DISMISSED WITH PREJUDICE as the Court has determined that Petitioner currently is not eligible for release on parole, and the United States Parole Commission does not have authority to release him on parole.

Petitioner may appeal from the judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of this court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within sixty (60) days from the date of entry of such judgment.

The Clerk shall mail a copy of this order to the petitioner and to counsel of record for respondent.

/s/
Rebecca Beach Smith
United States District Judge 
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia

December 2, 2009